IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 7397 OF 2007

Sou. Usha Prakash Sutar .... Petitioner

versus

Tahasildar, Mahad & ors..... Respondent.

Mr. M.S. Lagu for the petitioner.

CORAM; A.P. DESHPANDE, J.
DATED; 04TH OCTOBER, 2007

P.C.;

1. Petitioner's nomination form came to be rejected at the time of scrutiny, for contesting election to the post of a Member of Village Panchayat on the ground that the petitioner submitted copy of application filed before the Caste Scrutiny Committee for scrutiny of the caste on the next day. All stages in the election process are over, barring the stage of actual voting, which is scheduled on 7th October 2007. It is thus clear that no useful purpose will be served by entertaining this petition at this stage.

4. The learned counsel for the petitioner has placed reliance on a judgment rendered by this court on 19-1-2007 in W.P.No. 524/07 wherein directions were issued to allot him symbol and permitted the

petitioner to contest the election after holding that the rejection of the nomination is not referable to any provision of the Act or Rules. The said judgment has no application to the facts of the present case and the judgment does not proceed to lay down any law. Leaving all questions open to be raised in an election petition, this petition is summarily dismissed.

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